

Israeli-Palestinian Conflict Beyond Resolution: A Critical Assessment

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Abstract

Of all the inter-state conflict currently happening in different regions of the world, the Israel-Palestine conflict has stood the test of time to become one of the longest and most impactful. Despite numerous attempts to resolve the Israeli-Palestinian conflict, both parties have persisted, mainly showing a lack of compromise and commitment. This paper aims to analyze the underlying reason to the various unsuccessful attempts of Israel-Palestine conflict resolutions. This paper argues that there are four core issues that become object of negotiation in each attempt: borders, security, Jerusalem, and refugees. This paper assesses each party's stances on these four issues and how they shape the negotiation process. This is done through an empirical generalization by inductive methodology, using library studies as a data collection method. This paper concludes that there should be an ideational change to compromise within the domestic politics of both parties to make future conflict resolution possible.

Keywords:

Israeli-Palestinian conflict; disputed issues; conflict resolution; identity

Introduction

The conflict between two nations—Israel and Palestine—has been deemed as one of the longest political conflicts in history. Spanning for over more than half a century, the conflict has been subject to various research agendas and conflict resolution attempts. This conflict has been given particular attention due to its repeatedly unsuccessful conflict resolution attempts. Several negotiations between Israel and Palestine that should have resulted in conflict resolution were unable to solve the conflict, starting when both parties signed the Oslo I agreement in 1993 and further diplomatic efforts in Oslo II in 1995, Camp David II in 2000, and other negotiations attempts, all of which have failed (Barak, 2005). The most recent of these attempts was the Deal of the Century (The Peace to Prosperity plan or the Trump Peace Plan), unveiled by President Trump and PM Netanyahu in 2020. This situation

has raised the question of whether the Israel-Palestinian conflict is beyond resolution in a sense that, although several negotiations efforts have been conducted, the conflict is still yet to be solved. Through preliminary research, it was found that there are four main variables that have become the main objects of these conflict resolution attempts—borders, security, refugees, and Jerusalem.

This paper seeks to analyze the fundamental, underlying reasons behind the various unsuccessful attempts of previous Israel-Palestine negotiations. This paper focuses on creating an empirical generalization through exploratory research and inductive methodology. This paper finds that the lack of compromise and commitment from both parties have caused the conflict to be considered 'beyond resolution'. This paper concludes that there should be an ideational shift in the domestic politics of both nations to include

moderate ideas in order to make conflict resolution possible.

To understand previous explanations to the questions this research seeks to answer and to position itself among them, this research conducts a review of previous literatures. This research finds that there are two contending arguments that explained the reasoning behind unsuccessful Israel-Palestine conflict resolution attempts. The two sets of arguments are differentiated by the contending ideas on the underlying reason behind the two parties' inability to compromise and reach a consensus.

The first set of arguments focuses on rational explanations. This cluster focuses on conceptualizing the two parties as rational negotiators that seek to achieve the maximum outcome in the negotiation process. One of the prominent literatures in this cluster was written by Alpher (2016), in which the writer argued that the dynamics of domestic politics in Israel, combined with the antagonization of the state for a very long time, have shaped Israel's highly uncooperative and opportunistic behavior towards the conflict. As this research finds, the explanation in this cluster is mostly focused on Israel.

The second set of arguments explores the deeper understanding of the parties' inability to compromise. The main pattern of this cluster often conceptualizes the conflict as an identity conflict and frames the two conflicting parties as nations with clashing identities. While there has been an abundance of such literatures, this identity explanation of the conflict is still relevant to recent literature (Abu Laban & Bakan, 2019). While the literatures vary in what identity the two parties are attached to, most of the literature agreed that the conflict is an ideological one (Fox & Sandler, 2004). This means that the policies and behavior of the parties are most determined by their political values and system of ideals.

This research agrees with the assumption of the first set of arguments. This is due to the

fact that both parties, as this paper will argue, are acting as rational actors trying to maximize the outcome of the negotiations. Meanwhile, identity, in such case, would play rather as a restraint for negotiation, as both parties would not engage in negotiation in the first place.

Methods

This research is using inductive methodology by creating empirical generalizations on the various Israel-Palestine conflict resolution attempts. This is done by following the framework provided by Blagden (2016) and Galganek (2019). First, this research creates a chronological timeline on Israel-Palestine conflicts and identifying its main conflict resolution attempts. Second, the attempts are being broken down into various shared variables as we compare the presence of variables within each attempt. Third, this research analyzes the variables by comparing them to the stances taken by each party. The data is collected through the library studies method from secondary resources. This research, therefore, seeks to become exploratory research to find the underlying reasons for unsuccessful attempts in each variable.

Results: The Four Issues

After doing preliminary explorative research on the turning points explained in the previous section, this research finds that there are four main variables that are negotiated in each attempt. The four variables are picked from the four points that seem to always exist in the various conflict resolution attempts.

Jerusalem

The most complex part of the territorial issues of the Israeli-Palestinian conflict is the contested holy city of Jerusalem. Jerusalem is home to key sites of high religious importance, such as the Temple Mount, the Western Wall, the Church of the Holy Sepulchre, the Dome

of the Rock, and the al-Aqsa Mosque. For Palestinians, Jerusalem is the symbol of their sovereignty, identity, and the capital city for the future Palestinian state. Therefore, any partition of Jerusalem would be unacceptable for the Palestinians. On the other hand, it is also difficult for Israel to completely hand over Jerusalem to the Palestinians since it also represents a historical link between the Jewish and their homeland. For both parties, Jerusalem is part of their respective identities that is not open to any discussion, negotiation, or compromise (Bar-Siman-Tov, 2010; Krieger, 2011).

Dividing this region remains one of the fundamental issues that keeps the dispute between Israel and Palestine unsolved. Israel argues that Jerusalem is its undivided capital, but no country recognizes this claim. The Resolution 478 of the United Nations Security Council has even condemned Israel's decision to annex East Jerusalem as a violation of the international law. Even the United States, Israel's biggest traditional supporter, has, for a very long time, refused to recognize Jerusalem as Israel's capital. This is due to the consideration that, when the U.S. starts supporting Israel's claim, its position as an honest broker between the conflicting parties would be undermined and violence would escalate in the region (Beauchamp, 2018a).

For Palestinians, the Arabic word for Jerusalem is *al-Quds*, "the holy." According to Palestinian nationalists' point of view, Israel's disregard for the rights of Palestine over Jerusalem would end the peace process. Due to the sacred attribute of Jerusalem, any attempt to negotiate on the status of this city is always put at the end of the stage (Newman, 1999). An example of this could be seen in the Camp David Summit in which U.S. President Jimmy Carter tried to bring the status of Jerusalem on the negotiating table by offering Anwar Sadat financial and military support to incentivize the latter to maintain

good relations with the U.S. During President Carter's administration, the attitude of the U.S. towards the Israeli-Palestinian conflict had tilted more towards Palestine, suggesting that Israel should withdraw from its pre-1967 border and establish the Palestinian homeland within the border. The reason behind this action was the Washington-based think tank, the Brookings Institution, representing a pro-Arab school. William Quandt, a prominent figure in the institution, had tried to influence the president in this long-term conflict. It is certain that Carter's step has brought a negative image to the Israeli people. However, the president could not afford to break the special relationship that the U.S. had traditionally had with Israel. The status of Jerusalem, therefore, remained unchallenged and was going nowhere (Siniver, 2006). Various suggestions have been brought to the negotiating table regarding the status of Jerusalem, such as Clinton Parameters proposed by U.S. President Bill Clinton in his capacity as the negotiator in Camp David II. This proposal arranged the establishment of a special regime to forgo the sovereignty of both parties and have the Old City managed together. Still, each party was clearly not willing to put its sovereignty at stake (Goldenberg, 2015).

Jerusalem is ultimately an indivisible issue. As Johnson & Toft (2014) explain, Jerusalem could not be divided into smaller parts without devaluing its worth to either Israel or Palestine. The Temple Mount area especially makes it impossible for either Israel's or Palestine's claims to be recognized without making it a problem starter for any negotiation attempt. Jerusalem appears to be the most complex and most difficult issue that any Israel-Palestine peace talks would have to face, as it plays profoundly into foundational collective memories and religious identities not only for Israel and Palestine, but the Christian and Muslim worlds alike.

Borders

In the case of the Israeli-Palestinian conflict, the issue of borders has turned this conflict into an intractable conflict, since both nations claim the same land. Territory remains a central issue in the Israeli-Palestinian conflict. Both Israelis and Palestinians claim to be the original owner and to possess sovereignty over the same piece of land. Both populations oppose sharing power within the same space due to fear of each other's domination (Caplan, 2011; Siniver, 2012). The territory was known as the "Land of Israel" or "Palestine," stretching over an area demarcated by the British as Palestine in 1921. It has been subject to multiple national and religious claims, opposing each other's interpretations regarding their historical origins, which are highly related to their collective identities. The land is closely linked with the efforts between Zionist-Jews and Palestinian Arabs who claim that the land served as their homeland (Yiftachel, 2002).

Palestinians assumed the land as a part of their homeland and have already integrated it to their identity. However, for several years, they have seen their land being reduced. For instance, in 1936-1937, their share of the land was decreased to 75 percent of their initial territory through the Peel Commission. It was then reduced again into 44 percent due to the United Nations Partition Plan in 1947, only to be reduced again for the last time into 22 percent after the Arab-Israeli War in 1948-1949. After the war was finished in 1949, armistice lines began existing as effective borders up to 1967, also known as the Green Lines. Ever since this arrangement, Israel has controlled both the West Bank and Gaza Strip.

On the other hand, Israel also claims that their land encompasses areas stretching from the Jordan River to the Mediterranean Sea (Krieger, 2011). They argue that the lines in 1967 served as fixed borders since they had obtained it by winning the war. This kind of conflictual situation has also directly and

indirectly involved the Israeli and Palestinian populations in this territorial contestation. For example, there are 12 large settlements and Israeli population centers outside the 1967 border line. It would, therefore, be impossible to move those settlers into the Israeli border line. Meanwhile, Palestinians, who currently only hold 22 percent of the land (West Bank and Gaza Strip), demand to have total control over these areas (Krieger, 2011).

There is also the issue of settlement and the utilization of land inherent in the border dispute. Grosplik, Handel, and Monterescu (2020) explain how, especially after renewed drive for settler expansion after the announcement of the Peace to Prosperity plan, the practice of appropriation of occupied land, soil, and territory continues. Grosplik et al explains that, through organic farming and settler activity, the Israelis have created a political apparatus with which to uproot and divorce the connection between land and people and reinforces border encroachment through what they term as the Colonial Quality Turn. Organic farming is just one of the ways the Israeli settler project has reinforced the use of violence and the appropriation of formerly Palestinian land, accentuating the Israeli view on the Malleability of the Palestinian borders.

This border issue has drawn Israelis and Palestinians into conflicts with one another. The state-building process, however, often hurts other national identities and the self-determination of groups within those boundaries. Therefore, it leads to the domination of the stronger over the weaker. In this case, it is the domination of the stronger Israel over the weaker Palestine (Newman & Ghazi, 1997).

The current state of the border dispute and the praxis of Israeli settlements in the West Bank further accentuates the issue in negotiations between both parties. Borders are seen as malleable by Israel while Palestine sees its borders as a core concern. This situation

pushes both parties into stark opposition. The negotiation process would require extensive relocation programs for Israeli settlements and also the restoration of at least some of the Palestinian borders. These two outstanding issues would require cooperation between both parties and a willingness to build a shared spatial understanding in order to achieve any form of agreement on the issue of borders.

Security

Security here is served as the basis to achieve conflict resolution in Israeli-Palestinian conflict. The threat, faced by both entities, would undermine the prospect of attaining conflict resolution. Consequently, it would be unlikely for both parties to trust each other, causing them to feel threatened by each other's existence. Israel, for instance, feels threatened by the existence of Palestine, and vice versa. There have been various threats on the ground to and from Israel such as the military attacks from both conflicting parties and the other Arab states that surround them (Siniver, 2012).

As is the case for Israel, Palestine also wants to feel secure and be able to exercise their sovereignty. With the Israeli military forces on the ground, Palestinians think that they were under Israel's rule, which threatened their lives in every single aspect (Krieger, 2011). There are a considerable percentage of people who regard terrorist acts by Palestinians as "justified" resistances against Israeli oppression. However, Goldberg (1991) argued that no justification can be made for the attacks made by terrorist groups, including that of the Palestinian Liberation Organization, against civilians. The targeting of civilians by Palestinian terrorists serves as the basis for Goldberg (1991) in his argument that Israel reserves its responsibility to ensure the security of its citizens by any means. It can, therefore, be understood that the security issue in the Israeli-Palestinian conflict consists of a constant cycle of attacks and counterattacks between the

Israeli military and Palestinians. This has led to both Israelis and Palestinians to live under continuous insecurity.

Food and water are also part of the security calculus for Israel and Palestine. The disputed Jordan Valley area provides crucial irrigation for Palestinian farms, while the development of the Trump Peace plan has left big question marks for Palestine as Israel is set to annex the region (Ahmad, 2022; Yahaya, 2020). This has put into question Palestinian water security. Dai (2021) explains that cooperation between Israel and Palestine is imperative in ensuring water and agricultural security in the region to manage the shared mountain aquifer. However, the lack of trust, even in regional hydro-sharing environments, does not lend confidence to the level of cooperation in security areas required to at least attempt an integrative solution to the Israel-Palestine issue.

As Kaufman (2010) argued, peace is sustainable when security and justice go hand in hand. Sacrificing one for the other has always been proven to be counter-intuitive in the long run. Therefore, every effort must be made to uphold both principles (Kaufman, 2010). Human security also has significance in providing security analysis in the Israel-Palestine conflict. As Nusseibeh (2008) has argued, human security helps to achieve peace between the conflicting parties, while military security is often heavily linked towards war. In this conflict, wherein the land is still contested, there is the occupying army and the people who are under the occupation. It leads to a constant fear that would lead to an increasing role of the military to ensure security.

Refugees

Palestinians demand a fair and just solution for Palestinian refugees expelled from the Israeli territory since the 1948 war. They demand the rights of return for the refugees as a part of the final agreement. On the Israel side, an entirely different narrative is present.

According to the Israelis, the Palestinians were moving outside the borders on their own choice, and the return of 5-6 million people to the territory would threaten the existence of the State of Israel. The Clinton Parameters stated that Israelis should acknowledge the moral and material suffering endured by the refugees, and that it is necessary for Israel to support the international community on this matter (Goldenberg, 2015). The refugees would not disappear in the near future; these refugees grow poorer, more hopeless, and more vulnerable to extremism, among other risks. For instance, in September 1970 (known as the Black September), Jordanian troops attacked Palestinian militants. Palestinians always demand that the refugees be granted the rights to return and given compensation for their suffering. This argumentation was cited in Article 11 of the UN General Assembly Resolution 194 of December 11, 1948. However, Israel constantly dismisses this demand, arguing that General Assembly resolutions are not legally-binding, unlike those of the UN Security Council (Miller, 2012).

There have been several attempts to resolve the refugee issue such as the Lausanne Talks in 1949 and the Paris Talks of 1951. After more than four decades, however, there has yet to be any comprehensive talks to solve the refugee question. This matter then started to regain momentum at the Madrid conference and the Camp David Summit. President Clinton has even attempted to provide the parameters to solve this matter. However, the question on the rights of return and moral justice on this issue has been ignored since most resolutions on the Arab-Israeli conflict are only applicable starting from the 1967 war, while the event of 1948 served only as an element of the conflict. The 1948 war has left Israel occupying 78% of the former Palestine territory with a Jewish-Arab ratio of 6:1. This population ratio helped Israel in ensuring its security since they are left as the majority. The issue of refugees has

always been a core problem in negotiations. The difficulty in producing just results for the refugees that could be accepted by both Israeli and Palestinians remains an obstacle in the peace process. (Beauchamp, 2018b).

A major concern regarding the refugee situation in the region has also been the biopolitics practiced by Israel in its border control and even insofar as the reproductive experience of Arab women. Rexer (2021) documents how many Arab women are forced into potentially dangerous conditions during childbirth. There is also a track record of discrimination for Arab women in Israeli fertility clinics, and that there is a “Utopian non-place” in which Arabs are simultaneously accepted yet discriminated against reproductively. There is also the common practice of racial profiling, oftentimes noted in the Ben Gurion Airport, but also even wider in Israeli society as it has become praxis. This practice of severe biopolitics and border control practiced by Israel remains an outstanding and rarely spoken issue, which has often sparked conflict between the two parties.

Negotiation Theory

Negotiation Theory provides a window in analysing the dynamics of the Israel-Palestine negotiations. First off, it is important to clarify the position of rational actors in negotiations. As oftentimes, rational actors in international relations, namely states, occupy a two-track space which creates severely bounded rationalities (Figueira & Martill, 2020). The bounded rationality of states creates different sets of strategic assumptions for actors during negotiations. Biermann & Jagdhuber (2022), using the Brexit negotiations as an example, show how the UK, acting as a rational actor, often acts irrationally at first glance. This is due to the government’s position at home where bargaining also happens between it, the opposition, and the general public on the terms of negotiation *while* maintaining

a different bargaining process with the EU, whose expectations are often different than the UK's due to its own separate constituents.

Furthermore, rational actors are also bound by their own cultural trappings (Brett & Gelfand, 2006; Ting-Toomey, 2005). Actors are thus subject to separate cultural assumptions about best practices and expectations for their counterparts. Actors are also ultimately informed by foundational cultural ideas such as collective memories. Langenbacher & Shain (2010), for example, show how the German holocaust and the colonial mandates of the Middle East still impact policy results today due to the foundational nature of these collective memories. These collective memories dictate what Langenbacher & Yossi (2010) call a "Logic of Appropriateness" in each actors' actions. Even more so, these collective memories are often wielded as international currencies to gain support and mould the narratives surrounding bilateral relations.

Rational Actors in Negotiation Theory therefore should not be interpreted as atomistic black boxes playing simple games, but unique units playing complex layered games armed with different sets of information. Israeli-Palestinian negotiations pose a case where bounded rationalities, separate cultural identities, and collective memories severely impact the playing field for both states as respective rational actors where there are clear determinant factors which the actors can agree on categorically but not definitionally. Even further muddling the waters is the fact that many of these issues, for example, the outstanding border disputes, water and food security, and Jerusalem are all zero-sum. This pushes the negotiations squarely into distributive bargaining instead of integrative bargaining.

Distributive bargaining refers to the form of negotiation where the relationship between actors is based on a zero-sum understanding of the game and is focused on earning the most

for oneself. This is opposed to an integrative bargaining process where actors work together to create a positive-sum win-win solution to issues (Coleman & Fraser, 1979). Actors in a distributive bargaining process are instead focused on creating win-lose sets of BATNAs and WATNAs (Best alternatives to a negotiated agreement – Worst alternatives to a negotiated agreement). This situation also precipitates an increased lack of trust between both counterparts in the negotiation, as any attempt to fulfil the interest of one party will be interpreted as an attack by the other. The four determinant factors of Jerusalem, borders, security, and refugees may not necessarily be all distributive cases, but all these issues have been approached consistently as such by both parties.

Peace talks since the 1967 armistice have proven unsatisfactory for both parties. The issues of Jerusalem and borders have proven to be unavoidably distributive due to the issue of scarcity and indivisibility, and both security and refugees remain distributive despite possible integrative bargaining solutions presented on the table since the Oslo Accords. Furthermore, the trajectory of negotiations took a precipitous drop after the 2020 Plan to Peace and Prosperity was unveiled by President Trump and PM Netanyahu as its proposed solutions were undoubtedly biased towards Israel and it was drafted without Palestinian input (Yahaya, 2020). This reinforced the distributive bargaining process that has consistently been the praxis in Israeli-Palestinian relations.

Another thing to add is that the role of other third parties in negotiation talks between Israel and Palestine outside the US remain crucial to direct the peace talks. The members of the Arab Quartet (Egypt, Jordan, Saudi Arabia and the United Arab Emirates) have proven to lean towards Israel. For instance, in February 2019, Benjamin Netanyahu met with the Gulf State foreign ministers to discuss

the threat within the region such as Iran influence in Iraq, Lebanon, Syria, and Yemen (Pratiwi, Qomara, & Syarafi, 2020). Besides Saudi Arabia's Crown Prince, Mohammed bin Salman even said during his visit in US in March 2018 that the Palestinian issues are no longer in the government priorities agenda. He said that the Palestinian side had lost all of their opportunities by rejecting the entire negotiation proposal that had been offered (Ulrichsen, 2018). When it comes to Jerusalem as one of the sources of the conflict, for a long time, Saudi Arabia has always opposed Israel's sole occupation of it because it could backfire on the peace talk process. However, when Trump announced Jerusalem as the capital city of Israel on 6 December 2017, Saudi Arabia remained silent. Saudi also asked the media to not blow up Trump's declaration about Jerusalem as Israel's capital city (Niu & Wu, 2021). It could be argued that, when the other key players in the Israel Palestine conflict, such as the Arab Quartet, start to have closer relations with Israel, or at least open its communication with Israel, they turn a blind eye on the negotiation process on the Israel and Palestine conflict, similar to what has already happened with Saudi Arabia. This also makes the prospect of the agreement on this conflict remain bleak.

The prerequisites for integrative bargaining that would allow for a two-state solution where both parties interests are represented, however, are trust and openness (Coleman & Fraser, 1979; Katrak & Blanche, 2021). An absence of both, such as with Israel and Palestine, creates a hostile environment for any integrative bargaining attempt. This is exacerbated by the fact that animosity and lack of trust is deeply cultural. The issue of collective memories, whether it be the two intifadas for Israel or the deeply rooted memory of displacement, pushes Israelis to reject any attempt to uproot any Israeli settlement. While the Palestinian collective memory of their respective recent displacement

and the generational Arab memory of western colonization provides a strong impetus for the rejection of Israeli statehood.

Both parties, as rational actors, are therefore limited in their own logics of appropriateness. Israel, as a state, was formed to fulfil the promise of Zion and a reclamation of the Jewish homeland, while Palestine is the antithesis; a rejection of Zionism and western colonialism. In this bounded rationality situation, it seems unlikely that negotiations would develop to a productive integrative model. A two-track solution to face the deadlock would necessitate societal reform on the four determinant issues of Jerusalem, borders, security, and the treatment of refugees. The issue of borders would be inextricably linked with security for both parties, as the agricultural and water security of both are dependent on the Jordan Valley region, hence, requiring a shared spatial understanding. The issue of refugees would also require a confrontation with the Israeli conception of Arab identity and its own praxis of biopolitics in order to alleviate the ethno-religious tensions on top of the humane treatment of refugees. Jerusalem, however, would remain a tantalizing obstacle for peace, as its indivisibility would mean neither Israel nor Palestine would accept its ownership by the other. This leaves the rejected plan to leave Jerusalem in trust to the international community as perhaps the only solution on the table.

Discussion: Analysis on the Peace Agenda

The peace agenda between the two parties has always ended up in failure. In 1987, the Intifada arose in protest of the Israeli occupation over Palestine. The movement has also tried to call resolution to solve this conflict. The principles of the Israeli-Palestinian negotiations were "land for peace" and the adherence to United Nations Security Council Resolutions 242 and 338. For instance, Palestine demanded that Israel halt its settlement activities, but

negotiations such as the Madrid Conference of October 1991 could not yield any further progress and ended up perishing. There have also been secret negotiations between Israel and the PLO, which led to the signing of the Declaration of Principles (DOP) on September 13, 1993. This DOP called for an interim period of five years. Both of the parties discussed the final status of Jerusalem, refugees, settlements, borders, and water. As was argued by Kurtzer et al. (2014), letting either the Palestinian side or the Israeli side to decide unilaterally the status of Jerusalem, refugees, or other core issues would result in the certain failure of any negotiation attempt. One party would reject the demands proposed by their respective counterpart. However, both should know the parameters in which they would negotiate (Kurtzer, Duss, & Sachs, 2014).

A new optimistic concept, “The Oslo Spirit”, was even coined to portray PLO Leader Yasser Arafat and Israeli Prime Minister Yitzhak Rabin’s willingness to engage in dialogue to achieve compromise at the time. The agreement has brought about Israel’s unprecedented approval for the establishment of the Palestinian Authority, and therefore, that of Palestine as a state, as well as the PLO’s recognition of Israel’s right to exist and its concern for security. Another concession that was given by the PLO in the Accord is its commitment to renounce violence and terrorism by Palestinians against Israeli individuals (Quandt, 2005).

However, the outcome of the Accord, the DOP, was unable to be implemented due to the lack of commitment among both parties. Quandt (2005) explained this failure of the 1993 Oslo Accord as well as other peace resolution attempts that followed with explanations that could be summarized into at least two factors: self-righteous views among the constituents of both parties and wide-ranging spectrums of moderates and hard-liners and significant power disparity between both parties. The existence of highly self-righteous and hard-

line political views has prevented leaders from exploring wider possibilities of concessions and compromises in peace negotiations. In the Israeli case, this sense of self-righteousness was prevalent among far-right Zionist parties, groups, and individuals (Ma’oz, 2002).

This security subculture would lead to a negotiation style that relies heavily on force, thus, taking for granted their Palestinian counterparts’ grievances and demands under the assumption that the use of force would be able to suppress these grievances. In reality, however, the Palestinian grievances and resistance did not mostly emerge from confidence of their strength against Israel, but from desperation, which stemmed from nearly unendurable living conditions under Israeli occupation. As a result, the use of force by Israel to quell Palestinian resistances has instead triggered more resistance. Another consequence that could be seen from the centrality of the holocaust trauma in the collective memory of Israeli Jews is the tendency to overlook—if not nullify—the Palestinian side of history. This would prove to be highly problematic in finding common understanding between both parties in negotiations, as could be seen from the case of the Camp David summit. As was argued by Said (2000), the key condition set by Israel as the basis of the establishment of a Palestinian State was the foregoing of the Palestinian history of struggle under occupation. Such condition was set by Israel in order to free itself from its responsibility for the problems that befell Palestinians under its occupation. At the same time, however, Israel maintains the almost-a-century-old victim mindset and uses it as a ground for the oppression it carries out. Such behaviour shown by Israel in its negotiations has ignited discontents from its Palestinian counterparts and has, therefore, hampered the peace process.

In the Palestinian case, this collective sense of righteousness was amplified by the rise of Islamic fundamentalist movements such as

Hamas, the Islamic Jihad, and Hezbollah to the spotlight of the previously secular Arab plight for Palestine (Ben-Aharon, 2002). This shift of the Palestinian plight from a secular-nationalist to a Pan-Islamist movement has attracted, and at the same time been influenced by, external parties such as Iran and Turkey (Kaplan, 2013). Unlike its secular-nationalist precursor, the Pan-Islamist view of the Palestinian struggle provides no room for the existence of Israel. Prominent interpretations of the sharia law maintain that historic Palestine represents an Islamic *waqf* land, making it illegal for any person or party to cede any part of the land to any external, non-Muslim entity. In other words, they regard the very existence of Israel—and therefore the Oslo Accords—as fundamental problems to be “solved” only through military resistance (Abu Sway, 2002).

‘The Deal of the Century’ (Peace to Prosperity Plan)

President Trump and PM Netanyahu in a press conference, at the White House on January 28, 2020, unveiled the Peace to Prosperity Plan, also known as the Trump Peace Plan, colloquially. This plan has been touted as the “Blueprint to Israeli-Palestinian Peace Agreement” by the White House, while simultaneously ignoring any Palestinian input and moving the U.S. Embassy to Jerusalem, thereby recognizing Israel's claim over the city. Drafted by Trump's senior advisor and son-in-law Jared Kushner, the plan essentially gave Israel a blank cheque for annexation of disputed territories while pushing Palestine to cease military actions and desist in supporting terrorism. This alone has many issues, as the American and Israeli governments recognise both Hamas and the PLO as terrorist organizations. Consequently, the plan also proposes the Egyptian region of Northern Sinai to serve as an economic relief base for the West Bank and the Gaza

Strip. Beyond that, the Plan also mandated the creation of an economic corridor connecting the Gaza Strip to the rest of Palestine and building a tourism-centred economy (Yahaya, 2020).

This peace plan was well-received by then PM Benjamin Netanyahu as a “Historic day” and the then Education Minister, and now PM Naftali Bennett stated that “Israel's strategic patience has paid off” with the announcement of the plan (Yahaya, 2020). Israel had also planned to move forward with the annexation of the regions shown to be Israeli in the plan. This has sparked a resurgence in the settler project as Israelis were enthusiastic of the plan. Yahaya (2020), however, also noted that some far-right elements in Israel saw that the plan was too lenient with Palestine and denouncing the recognition of Palestine as treasonous to the Jewish cause. Ultimately, it also sparked fears of a third Intifada as tensions between Israel and Palestine mounted. Ultimately, the U.S. backtracked on its stance of Israeli annexation and denounced any approval of immediate Israeli annexations. Below is the illustration on how the ‘Deal of the Century’ by Donald Trump put Palestine at the disadvantage position.

As the deal was unfair for Palestine, they rejected the plan, as it was drafted *in absentia* of any Palestinian representation. The Palestinian President Mahmoud Abbas dubbed the deal “The Slap of the Century,” as it threw a wrench on decades of negotiation processes unilaterally by the U.S. Yahaya (2020) also argues that it has decreased confidence in the U.S. as a neutral mediator in the conflict. The plan has proven to be a major antithesis to Palestinian interest and has sparked anger in many Muslim countries. This also puts a strain to the relationship between American allies in the Middle East such as Egypt, Jordan, and Saudi Arabia, as they struggle to maintain a working relationship with the U.S. while appeasing their people by strengthening their aid to Palestine.

Picture 1.

The Palestinians Historic Compromise

The Palestinians Historic Compromise Trump's Plan



Source: Palestine Liberation Organization, 2020

Why is it Beyond Resolution?

The repetitive sequences of negotiation attempts, failures, outcries, and clashes that followed throughout the long history of the Israeli-Palestinian pursuit for peace have reflected the existence of obstacles at two levels. Both parties therefore require, at least theoretically, a two-tiered approach to pave the way for a successful peace settlement. At the national and societal level, political views that reduce the likelihood of compromise continued to attract significant portions of both political entities' constituents. On one side, Israel has, since the first tenure of PM Netanyahu, begun to regard Palestinians less as a dialogue partner and more as a cheating enemy who lives only at the mercy of Israel (Pundak, 2002). Such attitude could perhaps be credited to the increasing significance of far-right Zionist parties in the Knesset, which was fuelled by the rising concern for security following Arafat's failure—or reluctance—to halt violence and

terrorist attacks by Palestinians living in Israeli-controlled areas (Ben-Aharon, 2002). Nonetheless, this “occupying power attitude” shown by Israel through the implementation of overly-strict border patrols by the IDF has worsened dissent among Palestinians at the grass root—or “street”—level.

The increasing dissent towards Israel among the common Palestinians is manifested in a sense of exploitation and gullibility that are visible particularly among youths (Michaels, 2017). This also means there is an increasing distrust towards the Oslo Accords as well as other agreements that followed between the Palestinian authority and Israel. As a result, the trust and hope of the Palestinian people shifted away from the “secular” Palestinian authority, led by the Fatah, towards a new government led by the Islamic fundamentalist Hamas. This shift has shown its result in the victory of Hamas in the 2006 Palestinian parliamentary election (Smith, 2011). The emergence—or

re-emergence—of fundamentalist political views among the common Palestinian is highly problematic for the prospect of peace. The first reason is the security concerns that it might pose on Israel, causing the latter's hesitation to engage seriously in talks. The second reason is that, unlike the stance of the pre-Hamas PA, which maintained a more welcoming attitude towards compromises, fundamentalism has the tendency to frame conflicts in the destructive us-versus-them and all-or-nothing dichotomies (Michaels, 2017). Despite having started and cultivated in the societal/grass root level, these views would eventually find their way up to the decision-making processes—or national level—of both entities. Decision makers would be required to adjust to the opinions of their respective constituents regarding the issues of borders, security, Jerusalem, and refugees to maintain their legitimacy or even lives.

Ultimately the ever-present problem in the Israel-Palestine negotiations is the incapability of both parties to approach an integrative bargaining process and solution. Negotiations have, since the very beginning, been marred by a zero-sum understanding of all issues and coloured by distrust in all levels of both parties. The bounded rationalities of Israel and Palestine as international actors are bound to the cultural collective memories of the holocaust and Palestinian occupation, thus creating a complex two-level game for both parties where the understanding and sets of alternatives are diametrically opposed. This prevents the start of real peace talks, as distributive negotiations are more suited to a situation *a la* Versailles rather than a negotiation of equals. Salvaging an integrative bargaining process for Israel and Palestine would require extensive trust-building and openness between both parties on both tracks, whether state to state or people to people, a condition which is paradoxically best fulfilled through an existing peace.

Conclusion

The root of the failures in the negotiation attempts to achieve peace between Israel and Palestine could be traced to the hesitation by both parties to make compromises in at least four core issues, namely borders, security, the status of Jerusalem, and the status of refugees. While the underlying security implications and identity sentiments surrounding these issues make it understandable that both parties find it difficult to make compromises, it is crucial for both parties to pursue progress in the resolution of these four core issues. No less important than the substantial discussions on these issues are the conditions in which the negotiations are to be conducted. Therefore, it is important that both parties contribute in preparing an accommodative precondition by refraining—at least temporarily—from actions that would worsen the mutual distrust between them. The role of a third party as an honest broker, such as the United States, is also crucial in facilitating the negotiations. This facilitation could be done, among other means, by providing certain parameters according to which both parties would behave in the negotiations. In addition to neutralizing the mutual distrust between both parties, the role of a third party would also function as a balance to the existing power disparity between Israel and Palestine. However, recent developments have demonstrated that a third party—even one as powerful as the United States—would only serve its purpose as long as the third party is able to show impartiality and, therefore, earn the trust of both parties as well as the international community.

Another factor of failures in the negotiation attempts is the general view of both entities' constituents. Views that are self-righteous in nature, such as Islamic fundamentalism and Zionist extremism, would, at times, motivate radical movements that do not put rational considerations into account. The Palestinian

struggle under Hamas, for instance, has given failed military attacks more favour than negotiations. This means that death in the resistance against Israel no longer becomes something to be feared, but instead revered. Such attitude towards the idea of struggle and death, which stemmed from radical Islamism, has, in turn, resulted in a higher degree of violence committed by Palestinians towards Israelis. As a reaction to such violence, Israel—which has shown repressive and violent attitude towards Palestinians to begin with—would be more inclined to further utilize its superior material power in order to ensure its security. Despite originally being aimed at eliminating Palestinians' incentive to carry out attacks, the irrational nature of the attacks has led the security measures taken by Israel to ignite even more violence. As a result, the prospect for conflict resolution and peace between both parties has continued to deteriorate. Therefore, until a two-tiered approach is employed to lay down the foundation of mutual trust that would motivate higher flexibility and more compromises from both parties in the conflict in negotiating the four core issues, it is highly likely that the conflict will remain beyond resolution.

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